

Message Text

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SS-20 RSC-01 DODE-00 OMB-01 DRC-01 /083 W

----- 017853

R 131540Z FEB 74

FM AMEMBASSY MADRID

TO USCINCEUR VAIHINGEN

INFO USNMR SHAPE BRUSSELS

SECSTATE WASHDC 8124

C O N F I D E N T I A L SECTION 1 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

E.O. 11652: GDS

TAGS: PFOR MARR SP

SUBJECT: DRAFT POSITION PAPERS FOR MARCH 5 JOINT COMMITTEE
MEETING

REF: MADRID 867

I WOULD BE GRATEFUL FOR YOUR COMMENTS ON THE
FOLLOWING DRAFT POSITION PAPERS, IF POSSIBLE BY CLOSE OF
BUSINESS FEBRUARY 20 SO THAT WE CAN SUBMIT ANY REQUIRED
CHANGES TO DEPARTMENT OF STATE FOR TIMELY REVIEW. WHILE
POSITION PAPERS HAVE BEEN PREPARED ON ERL PROSPECTIVE
AGENDA ITEMS PREVIOUSLY REPORTED (REFTEL), IT IS STILL
POSSIBLE THAT ONE OR MORE ITEMS MIGHT BE RESOLVED
OR OTHERWISE DISPOSED OF BEFORE THE MARCH 5 MEETING
AND DROPPED FROM AGENDA.

1. POSITON PAPER ON STATUS OF UNDELIVERED MILITARY EQUIPMENT.

SUMMARY

STATUS OF UNDELIVERED MILITARY EQUIPMENT AND SHIPS WHICH
THE SPANISH GOVERNMENT SHOULD RECEIVE CHARGED AGAINST
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EXIMBANK CREDITS, GRANT AID AND LOANS. AC&W MODERNIZATION

IS INCLUDED.

A. MILITARY EQUIPMENT APPLIED AGAINST EXIMBANK CREDITS

STATUS

ARMY

SPANISH FOREIGN MINISTER'S 29 JAN 71 LETTER IDENTIFIED \$27.1 MILLION DOLLARS FOR SPANISH ARMY TERRITORIAL COMMAND NET. IN APRIL 73 TCN COST REVISED TO INCLUDE SPANISH NAVY, CON-TRACTOR MAINTENANCE, AND MESSAGE SWITCHES. \$4.5 M WILL BE MAP; UP TO \$10.0 M NON-CONVERTIBLE PESETAS AND THE REST EXIM-BANK. ANY ADDITIONAL FUNDS REQUIRED WILL HAVE TO BE PROVIDED BY GOS.

NAVY

\$10.1 MILLION
DOLLARS WERE IDENTIFIED FOR THE PURCHASE OF
4 SH3D HELICOPTERS.

FACTS

ARMY

THE SPANISH ARMY ACCEPTED LOA FOR TCN ON 5 MAY 72 WITH ESTIMATED PROJECT COMPLETION OF JANUARY 75. DUE TO LATE IDENTIFICATION OF SPANISH ARMY AND NAVY REQUIREMENTS, CON-TRACT AWARD IS FORECAST FOR MARCH 74 AND SYSTEM COMPLETION IS SCHEDULED FOR OCTOBER 76, ALTHOUGH PORTIONS OF THE SYS-TEM WILL BE AVAILABLE FOR SPANISH USE A YEAR BEFORE FINAL SYSTEM TURNOVER.

NAVY

DURING MARCH 74 TWO SH3D HELICOPTERS WILL BE DELIVERED WITH THE REMAINING TWO IN APRIL 74.

B. MILITARY EQUIPMENT ACQUIRED THROUGH GRANT AID
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STATUS

THE PRESENT DELIVERY SCHEDULE FOR MAJOR END ITEMS INCLUDED IN THE 6 AUGUST 1970 EXCHANGE OF NOTES AND THE 9 MARCH 1972 AMENDMENT THERETO IS PROGRESSING AS PLANNED.

- AT THE REQUEST OF THE SPANISH ARMY 16 EACH M113A1 ARMORED

PERSONNEL CARRIERS WILL BE PROVIDED TO REPLACE 3 EACH M88
RECOVERY VEHICLES ORIGINALLY PROGRAMMED. DELIVERY SCHEDULE
IS AT (1).

FACTS

DEPARTMENT OF ARMY IS MAKING EVERY REASONABLE EFFORT TO
EXPEDITE DELIVERIES OF REMAINING ITEMS.
SPANISH ARMY REQUESTED SUBSTITUTION OF M113A1'S FOR M88'S
AFTER BEING NOTIFIED OF A SLIPPAGE IN THE DELIVERY DATE
OF THE 3 M88'S. (PS (US) MEMORANDUM 740 DATED 15 NOV 73).
SUBSTITUTION AGREED UPON.

(1) DELIVERY SCHEDULE

SOURCE: BASIC AGREEMENT

ITEM (ORIGINAL QUANTITY)	DATE AVAIL FOR SHIPMENT
1 BN 155MM HOW M109 (18 EA)	12 EA - EARLY 4TH QTR FY75
NOTE: 6 EA DELIVERED (MAY 73)	
12 EA BEING MODIFIED TO	
A1 CONFIGURATION PER	
REQUEST OF SA.	
UH-1H HELOS (16 EA)	8 EA - JULY 74
NOTE: 8 EA DELIVERED (AUG 73)	

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SS-20 RSC-01 DODE-00 OMB-01 DRC-01 /083 W
----- 024467

R 131540Z FEB 74
FM AMEMBASSY MADRID
TO USCINCEUR VAIHINGEN
INFO USNMR SHAPE BRUSSELS
SECSTATE WASHDC 8125

C O N F I D E N T I A L SECTION 2 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

SOURCE: AMENDMENT

ITEM (ORIGINAL QUANTITY)	DATE AVAIL FOR SHIPMENT
M113A1 APC (3 EA)	NOTE: AS OF 31 JAN 74 VEHICLES WERE AT US TERMINAL AWAIT- ING LOADING ON "LONG- VIEW VICTORY".
M548 CARGO CARRIER (24 EA)	4TH QTR FY74
WRECKER TRUCK 5T M543A2 (1 EA)	SEP-OCT 74
M113A1 APC (16 EA)	SEP 75
	NOTE: REPLACES 3 EA M88 RECOVERY VEHICLES PER REQUEST OF SA.

C. SHIP LOANS

STATUS

THE USN HAS DELIVERED THE SHIPS, WITH EXCEPTION OF AN AO,
AS LISTED IN THE AGREEMENT AS MODIFIED BY THE FOREIGN
MINISTER'S 29 JAN 71 LETTER.

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OILER (AO)

3 WERE MADE AVAILABLE FOR INSPECTION IN OCT 71 BUT WERE
REJECTED BY GOS AS TOO OLD AND COSTLY TO REPAIR.
USN INFORMED SN AN LST (TERREBONNE PARISH CLASS) (EX-USS
WESTCHESTER COUNTY LST 1167) WAS AVAILABLE AND SN INDI-
CATED THEY WOULD ACCEPT LST AS SUBSTITUTE FOR THE AO IF
IN GOOD CONDITION.

- 5 DEC 73 USS WESTCHESTER COUNTY WAS MADE AVAILABLE FOR
INSPECTION IN BREMERTON, WASHINGTON. THE SHIP WAS DE-
ACTIVATED AND IF ACCEPTED ALL REACTIVATION COSTS WOULD
BE THE RESPONSIBILITY OF THE SN.

- 17 DEC 73 SN INFORMED USN THAT THEY DID NOT DESIRE THE
OFFERED LST. STATED TWO REASONS: (1) INACTIVATED CON-
DITION; (2) SN BELIEF THAT MORE AO'S WERE TO BE AVAIL-
ABLE FROM USN INVENTORY IN EARLY 74, SUPPOSEDLY IN BET-
TER MATERIAL CONDITION THAN THOSE PREVIOUSLY OFFERED TO
SN.

- ON 1 FEB 74 STATED NO AO'S WERE AVAILABLE AND IN FACT THAT NONE WOULD BE AVAILABLE BEFORE 1976. USN FURTHER OFFERED NO SUBSTITUTE FOR AO.

D. MILITARY EQUIPMENT ACQUIRED FOR MODERNIZATION OF AIRCRAFT CONTROL & WARNING NET

STATUS - MODERNIZATION AND SEMIAUTOMATION OF THE SPANISH AIR FORCE AC&W NET IS PROCEEDING ON SCHEDULE.

FACTS

- CONTRACTOR SELECTION FOR THE SEMI-AUTO PACKAGE AND MICRO-WAVE COMM PACKAGE IS PENDING FINAL DECISION BY THE JOINT SOURCE SELECTION AUTHORITY.

- SINGLE-CHANNEL GROUND/AIR/GROUND RADIOS HAVE BEEN PROCURED AND DELIVERED FOR COMBAT GRANDE UNDER AN EXISTING USAF PROCUREMENT PROGRAM. COMPLETION OF REVIEW OF MULTI-CONFIDENTIAL

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CHANNEL RADIO REQUIREMENTS RESULTED IN OEP DEVIATION #6 NOW IN COORDINATION. DEVIATION #6 WILL PERMIT USE OF LOWER POWERED MULTI-CHANNEL RADIOS IN COMBINATION WITH HIGH AND MEDIUM GAIN ANTENNAS TO MEET OPERATIONAL REQUIREMENTS.

- THE POWER OVERHAUL SEGMENT APPROACH HAS BEEN REVISED BASED ON RESPONSES TO RFP AND RESULTANT ADDITIONAL STUDIES. OEP DEVIATION #7 WHICH WOULD PERMIT USE OF COMMERCIAL POWER FOR LONG RANGE RADAR SITES WAS APPROVED BY SAF ON 3 JAN 74.

- PROGRAM FUNDING IS AT \$58M. SPLIT IS STILL 70/30 USAF/SAF PER AGREEMENT.

- MODERNIZATION OF AC&W SITES IS PRMGRESSING AT MOTRIL. AIR FORCE COMMUNICATIONS SERVICE TEAMS FOR SOLLER BEGAN UPDATE/PRE-INSPECTION AND REPAIR AS NECESSARY INSPECTION 7 FEB 74 AND WORK BEGAN ON 12 FEB 74.

- SAF CHIEF OF STAFF APPROVED AND DIRECTED A SAF C-47 BE MADE AVAILABLE TO SUPPORT PROGRAM NEEDS AT SOLLER.

RECOMMENDATION

THE JOINT COMMITTEE BE ADVISED OF THE STATUS OF UNDELIVERED MILITARY EQUIPMENT AND PROGRESS AS COVERED IN A, B, C AND D.

2. (U) POSITION PAPER ON PAYMENT OF EXIMBANK LOAN.

THIS POSITION PAPER, WITH UPDATED FIGURES, WILL BE IDENTICAL TO THAT SUBMITTED AT LAST JC MEETING. CURRENTLY AWAITING REPLY FROM STATE DEPT IN ANSWER TO EMBASSY MESSAGE REQUESTING STATUS. (MADRID 902).

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R 131540Z FEB 74

FM AMEMBASSY MADRID

TO USCINCEUR VAHINGEN

INFO USNMR SHAPE BRUSSELS

SECSTATE WASHDC 8126

C O N F I D E N T I A L SECTION 3 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

EM (U) POSITON PAPER ON EXEMPTION FROM G-3 TARIFF.

SUMMARY

PROBLEM - TO CONFIRM EXEMPTION FROM APPLICATION OF THE G-3 TARIFF ON LOADING, UNLOADING AND TRANSHIPMENT OF GOODS IN SPANISH PORTS IN CONNECTION WITH THE ACTIVITIES OF THE UNITED STATES FORCES IN SPAIN.

STATUS- THE FINANCE MINISTRY AND SPANISH PERMANENT SECRETARIAT HAVE TAKEN THE POSITION THAT THE G-3 TARIFF DOES NOT FALL WITHIN THE EXEMPTION PROVISIONS SET FORTH IN THE CURRENTLY VALID FISCAL AND TAX RELIEF PORTIONS OF THE MUTUAL DEFENSE ASSISTANCE AGREEMENT OF 1953 SINCE, THE MINISTRY CONTENDS, IT IS A SERVICE CHARGE AND NOT A TAX. FUNDS ARE CURRENTLY BEING HELD IN ESCROW IN THE BANK OF BILBAO IN CADIZ FOR PAYMENT OF TARIFF CHARGES IN THE EVENT THAT EXEMPTION CANNOT BE OBTAINED.

FACTS

THE G-3 TARIFF WAS CREATED BY LAW 1/66 OF 28 JANUARY 1966 AND IS APPLIED TO TONNAGE OF GOODS LOADED, UNLOADED AND TRANSHIPPED IN SPANISH PORTS.

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- REPLACES AND IS IDENTICAL IN NATURE AND SCOPE TO THE FORMER MUELLAJE TARIFA III WHICH WAS CREATED BY DECREE 12 DECEMBER 1948 FROM WHICH US FORCES IN SPAIN WERE EXEMPTED BY THE MINISTRY OF PUBLIC WORKS IN 1958. G-3 IS A CHARGE, NOT FOR DIRECT SERVICES REQUESTED AND RECEIVED, BUT FOR INDIRECT SERVICES, AND THE AMOUNTS TO BE COLLECTED ARE DETERMINED BY AND FOR THE BENEFIT OF THE PORT AUTHORITY WHICH IS A GOVERNMENTAL OR QUASI-GOVERNMENTAL ORGANIZATION.

- WHEN IMPLEMENTED, US AUTHORITIES ASSUMED THAT THEIR EXEMPTION STILL APPLIED.

- EFFORTS TO COLLECT THE CHARGE MADE BY SPANISH PORT AUTHORITIES NECESSITATED AN ESCROW ARRANGEMENT AND THE MATTER WAS REFERRED TO THE PS FOR RESOLUTION.

THE TAX RELIEF ANNEX TO THE MUTUAL DEFENSE ASSISTANCE AGREEMENT OF 1953 REMAINS IN EFFECT AS A RESULT OF NOTE NO. 820. DATED 25 SEPTEMBER 1970. THE ANNEX PROVIDES EXEMPTION FOR THE US FROM TAXATION, SURCHARGES, CONTRIBUTIONS OR "OTHER CHARGES OF ANY NATURE" BY OR FOR THE BENEFIT OF THE SPANISH GOVERNMENT, POLITICAL SUBDIVISIONS THEREOF, OR QUASI-GOVERNMENTAL ORGANIZATIONS. THE ONLY EXCEPTION STATED IS FOR REASONABLE COMPENSATION FOR "SERVICES REQUESTED AND RECEIVED" BY THE US. THIS EXCEPTION FOR DIRECT SERVICES IS CLEARLY NOT APPLICABLE TO A CHARGE FOR INDIRECT SERVICES SUCH AS THE G-3 TARIFF.

THE G-3 TARIFF, AND THE OTHER CHARGES CREATED BY THE SAME LAW, WERE CREATED AS A RESULT OF A WORLD BANK STUDY WHICH CITED AS UNDESIRABLE THE NUMEROUS EXEMPTIONS AVAILABLE UNDER FORMER PORT TARIFF LEGISLATION, SPECIFICALLY REFERRING TO THE EXEMPTIONS ENJOYED BY THE US FORCES AND CARITAS, AN INTERNATIONAL CHARITY.

- THE UNILATERAL FAILURE OF LAW TO ALLOW FOR EXEMPTIONS OF ACTIVITIES OF THE US FORCES FROM THE G-3 TARIFF DOES NOT CHANGE THE PROVISIONS OF THE EXEMPTION GRANTED BY THE 1953 AND 1970 AGREEMENTS.

RECOMMENDATION

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THE GOVERNMENT OF SPAIN BE URGED TO TAKE THE NECESSARY ACTION TO EXEMPT ACTIVITIES OF THE US FORCES IN SPAIN FROM THE APPLICATION OF THE G-3 TARIFF.

4. (C) POSITION PAPER ON US-SPANISH DEFENSE COMPATIBILITY PLAN.

SUMMARY

PROBLEM - THE JOINT COMMITTEE SHALL PREPARE AND PRESENT TO BOTH GOVERNMENTS AN ANNUAL PLAN TO FACILITATE MAKING COMPATIBLE THEIR RESPECTIVE DEFENSE POLICIES IN AREAS OF MUTUAL INTEREST PURSUANT TO CHAPTER VIII OF THE AGREEMENT OF FRIENDSHIP AND COOPERATION.

STATUS - AT THE 10TH JOINT COMMITTEE MEETING OF 31 OCT 73, THE US-SPANISH DEFENSE COMPATIBILITY PLAN WHICH THE US SUBMITTED ON 7 MAY 73 TS DISCUSSED. CERTAIN AREAS IN THE EXCHANGED PLAN WERE MUTUALLY AGREED UPON IN PRINCIPLE AND THE JOINT COMMITTEE DIRECTED THE PS TO STUDY AND PREPARE RECOMMENDATIONS FOR IMPLEMENTATION OF THE FOLLOWING SPECIFIC AREAS:

- TRAINING
- EXCHANGE OF INTELLIGENCE INFORMATION
- HARMONIZATION OF LOGISTICS
- LIAISON BETWEEN SPANISH MILITARY AND USCINCEUR
- AIRCRAFT CONTROL AND WARNING

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SS-20 RSC-01 DODE-00 OMB-01 DRC-01 /083 W

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R 131540Z FEB 74

FM AMEMBASSY MADRID

TO USCINCEUR VAIHINGEN
INFO USNMR SHAPE BRUSSELS
SECSTATE WASHDC 8127

C O N F I D E N T I A L SECTION 4 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

FACTS

- CONCERNING AREAS AGREED UPON, US IS GATHERING DATA ON LARGE SCALE NON-NATO EXERCISES TO BE CONDUCTED IN FY 74 AND 75 TO WHICH SPANISH OBSERVERS COULD BE INVITED.
- CINCUSAREUR HAS PROPOSED TO USCINCEUR EXERCISE REFORGER 74 (SEP-OCT 74), AND WHILE STILL IN THE PLANNING STAGE, EXERCISE FLINTLOCK 74 (AUG-OCT 74) AND DEEP FURROW 74 (15 JUL-15 AUG). USCINCEUR IS PREPARING INTELLIGENCE BRIEFING FOR SPANISH OFFICIALS TO BE GIVEN IN MADRID AND SUGGESTS LATE MARCH OR APRIL PRESENTATION TO PERMIT DE-TAILED PREPARATION.
- FURTHER PLANNING AWAITING USCINCEUR VIEWS.
- US INFORMAL MEMO OF 16 JAN 74 PROPOSED TO PS (SP) THE ESTABLISHMENT OF AD HOC SUBCOMMITTEES TO BEGIN DEVELOPMENT OF THE ACTION PLAN AS SUGGESTED BY THE JC.
- US RECOMMENDS APPOINTMENT OF SPECIAL JOINT SUBCOMMITTEES EACH CONSISTING OF EQUAL NUMBER OF US AND SPANISH OFFICIALS TO DEAL WITH EACH OF THE FIVE ACTION PROGRAMS.
- THE PS WOULD REGULARLY REVIEW THE PROGRESS OF THE SUBCOMMITTEES, PROVIDE DIRECTION AND WOULD REPORT PROGRESS IN EACH AREA AT EACH REGULAR MEETING OF THE JOINT COMMITTEE.
- ON 7 FEB 74, PS (SP) PROVIDED DRAFT PROPOSAL TO BE PRE-CONFIDENTIAL

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SENTED AT THE FORTHCOMING JC MEETING FOR THE INITIATION OF THE ACTION PLAN PRESENTED BY THE US. ESSENTIALLY, GOS CONCURS WITH US PROPOSALS.

RECOMMENDATIONS

- EXTEND INVITATION TO GOS TO ATTEND INTELLIGENCE BRIEFING TO BE PRESENTED BY USCINCEUR IN MADRID IN THE LATTER PART OF MARCH 1974.
- US PROPOSE AD HOC COMMITTEE SYSTEM TO DEVELOP ACTION PROGRAMS AND REQUEST ASSIGNMENT OF SPANISH COMMITTEE MEMBERS AND OFFICE OF PRIMARY RESPONSIBILITY.

5. (C) POSITON PAPER ON REFUELING OF USN WARSHIPS IN SPAIN.

SUMMARY

PROBLEM - USN SHIPS ARE UNABLE TO RECEIVE FUEL IN ALL SPANISH PORTS.

STATUS - THE USG HAS BEEN ADVISED THAT THE GOS WILL ONLY PERMIT USN SHIPS TO FUEL AT US FUEL FACILITIES IN THE PORTS OF EL FERROL, ROTA AND CARTAGENA DUE TO THE GOS SENSITIVITY TO THE ARAB COUNTRIES.

BACKGROUND

- DURING FY73 USN UNITS VISITING SPANISH CIVIL PORTS PURCHASED FROM CEPSA 24,538 BARRELS OF DIESEL; 25,710 BARRELS OF BUNKER C; 33,730 BARRELS OF NSFO. ALL FUELS PURCHASED WERE AT CURRENT DOLLAR/PESETA EXCHANGE RATE.
 - DURING FY73 NAVY FUEL DEPOT, ROTA, SPAIN SOLD TO THE SPANISH NAVY 300,000 BARRELS OF NSFO; 6,000 BARRELS OF JP-5. THESE FUELS WERE FROM US STOCKS.
 - ALL SN SHIPS TRANSFERRED UNDER THE CURRENT AGREEMENT HAVE UTILIZED US FUEL STOCKS DURING CONUS TRAINING AND TRANSIT PERIODS.
 - ALL SN SHIPS UTILIZE US STOCKS WHEN IN CONUS.
 - SN WILL UTILIZE US FUEL STOCKS DURING TRAINING PERIODS IN US FOR THEIR 5 NEW DEGS DURING 1974-76.
 - AT ROTA AND EL FERROL, THE SN IS COMPLETELY RELIANT ON USN
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FUEL STOCKS.

FACTS

- NOV/DEC 73: CAMPSA/CEPSA DECLINED TO ISSUE FUEL TO USN SHIPS IN SPANISH CIVIL PORTS STATING THAT GOS HAD ORDERED THE BAN.
- 28 DEC 73: GOS NOTIFIED JUSMG VIA PS MEMO THAT FUELS WOULD NOT BE SUPPLIED IN SPANISH CIVIL PORTS DUE GOS AGREEMENTS WITH ARAB COUNTRIES REGARDING THIRD-COUNTRY USAGE.
 - THIS NOTIFICATION WAS RECEIVED ONE DAY AFTER US AMBASSADOR HAD SENT A LETTER TO THE SPANISH FONMIN CONCERNING THE SITUATION. (POSSIBLY NOT A REPLY TO THE AMBASSADOR'S 27 DEC LETTER).
 - 03 JAN 74: CEPSA REPLIED TO DFSC LETTER STATING THEY WERE AWAITING GOS DECISION ON CONTRACT.
 - JAN 74: SPANISH DIPLOMATIC SECRETARY TO PS STATED THAT THE MATTER AS DISCUSSED IN THE US AMBASSADOR'S LETTER WAS EXTREMELY IMPORTANT AND A DIFFICULT DECISION FOR GOS. HE FURTHER STATED THAT THE POSITION OUTLINED IN THE 28 DEC 73 PS MEMO SHOULD BE CONSIDERED TO BE VALID
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R 131540Z FEB 74
FM AMEMBASSY MADRID
TO USCINCEUR VAHNINGEN
USNMR SHAPE BUSSELS
SECSTATE WASHDC 8132

C O N F I D E N T I A L SECTION 5 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

6. (U) POSITION PAPER ON DIRECTION INDICATOR LIGHTS FOR
PRIVATE AND OFFICIAL VEHICLES OF US FORCES IN SPAIN.

SUMMARY

PROBLEM - SPANISH TRAFFIC CODE DECREES REAR TURN INDICATORS ON
VEHICLES REGISTERED IN SPAIN BE YELLOW. THE MAJORITY OF
VEHICLES OF US FORCES IN SPAIN HAVE RED REAR INDICATOR LIGHTS
IN COMPLIANCE WITH US STANDARDS.

STATUS - SPANISH TRAFFIC AUTHORITIES HAVE DENIED US REQUESTS
TO EXEMPT VEHICLES OF US FORCES IN SPAIN AND CONTINUE TO ISSUE
SUMMONSES TO US PERSONNEL FOR HAVING IMPROPER SIGNALS.(FINE
OF \$13 INVOLVED.)

FACTS

FACTS

THE VIENNA CONVENTION ON ROAD TRAFFIC OF 8 NOVEMBER 1968
STIPULATES THAT REAR INDICATOR LIGHTS SHALL BE YELLOW OR AMBER.
THE REQUIREMENTS ARE TO BECOME EFFECTIVE 12 MONTHS AFTER DEPOSIT
OF 15TH CERTIFICATE OF RATIFICATION. THIS STIPULATION FOR
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RATIFICATION HAS NOT YET BEEN SATISFIED.

- YELLOW TURN INDICATORS REQUIRED BY SPANISH TRAFFIC CODE OF

13 AUGUST 1971. SUBSEQUENTLY SPANISH TRAFFIC AUTHORITIES HAVE ISSUED SUMMONSES TO US PERSONNEL.

- ON 8 FEB 72, IN RESPONSE TO PS REQUEST, TRAFFIC AUTHORITIES ISSUED A PROVISIONAL MEASURE TO DESIST TEMPORARILY FROM TICKETING VEHICLES OF US FORCES UNTIL 1 JAN 73.

- ON 21 DEC 72 US EMBASSY SENT NOTE VERBALE TO MFA, BUT RELIEF WAS NOT APPROVED.

- ON 30 OCT 73 US AGAIN REQUESTED EXEMPTION TO SPANISH LAW THROUGH PS. THIS REQUEST DENIED ON 21 NOV 73.

- ON 23 JAN 74 US ADVISED PS THAT SURVEY OF EUROPEAN COUNTRIES INDICATED SPAIN IS ONLY COUNTRY WHERE US FORCES ARE STATIONED WHICH REQUIRES MODIFICATION OF COLOR OF DIRECTIONAL LIGHTS. FURTHER, THE US SIDE REQUESTED A ONE-YEAR MORATORIUM WITH THE UNDERSTANDING THAT ANY CAR SOLD WITHIN SPAIN IN THE INTERIM WOULD BE MODIFIED.

- US REQUEST FOR FURTHER CONSIDERATION OF EXEMPTION BASED UPON FOLLOWING RATIONALE:

- LARGE NUMBER OF VEHICLES INVOLVED.

- HIGH COST (AT LEAST 2500 PESETAS (\$40)/VEHICLE) WHICH CREATES FINANCIAL HARDSHIP ON MANY PERSONNEL.

- TEMPORARY NATURE OF CONVERSION - MANY CARS WITH LITTLE TIME REMAINING IN SPAIN WOULD REQUIRE RECONVERSION UPON RETURN TO US.

- RED INDICATORS, IF FUNCTIONING PROPERLY, DO NOT CONSTITUTE HAZARDOUS FACTOR.

- US VEHICLES ARE BEING ISSUED SPANISH TOURIST PLATES MAKING IDENTIFICATION SIMPLE AND EXEMPTION PRACTICAL.

RECOMMENDATION

SPANISH AUTHORITIES RECONSIDER PROBLEM WITH VIEW TOWARD EXEMPTING VEHICLES OF US FORCES DURING TEMPORARY ASSIGNMENT TO SPAIN OR PROVIDING FOR A GRADUAL TRANSITION PERIOD TO NEW LIGHTING ARRANGEMENT.

7. (U) POSITION PAPER ON SMALL EXCHANGE OUTLET AT ROTA.

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SUMMARY

PROBLEM - TO APPEAL GOS DENIAL OF USN REQUEST TO ESTABLISH A SMALL OFF-BASE EXCHANGE OUTLET IN THE RENTAL GUARANTEED HOUSING SITE (RGH) FOR US FORCES PERSONNEL STATIONED AT ROTA NAVAL BASE.

STATUS

THE EXCHANGE OUTLET WAS INCLUDED IN LIST OF EXISTING FACILITIES PROVIDED BY USCINCEUR TO STATE/DEFENSE, IN RESPONSE TO

AMBASSADOR ARGUELLES' REQUEST, DURING THE NEGOTIATION OF THE BASIC AGREEMENT IN 1970. IT WAS RECOMMENDED AS AN EXISTING FACILITY DUE TO THE STATE OF ADVANCED PLANNING AND APPARENT SUPPORT BY SPANISH AUTHORITIES. NO SUCH SUPPORT FACILITIES FOR ANY OF THE BASES APPEAR IN THE AGREEMENT.

- IN JUNE 1970, LOCAL SPANISH NAVY GRANTED APPROVAL TO CONSTRUCT SUBJECT OUTLET IN THE RGH SITE. SPANISH GOVERNMENT APPROVAL WAS ASSUMED UNTIL THE SPANISH NAVY MINISTRY REVERSED THE DECISION AND DISAPPROVED THE PROJECT.

- ON 13 JAN 72, A USG RECLAMA TO SN POSITION WAS SUBMITTED THROUGH THE PERMANENT SECRETARIAT.

- ON 26 JAN 72, THE GOS DISAPPROVED THE PROJECT.

- ON 23 OCT 73, US SUBMITTED PROPOSAL AGAIN TO PERMANENT SECRETARIAT ALONG WITH LIST OF ITEMS TO BE SOLD (PRIMARILY NECESSITY ITEMS SUCH AS MILK, BREAD, CEREAL, TOILET PAPER, ETC.). IN PERMANENT SECRETARIAT MEETING, MAP OF AREA WAS PRESENTED AND IT WAS ESTABLISHED THAT FACILITY WOULD NOT BE IN COMPETITION WITH SPANISH LAWFUL BUSINESS INTERESTS. NO REPLY RECEIVED TO DATE FROM GOS.

FACTS

GOS TURNED DOWN PROJECT ON 27 SEP 71 FOR THESE REASONS:

- RGH IS CONNECTED TO THE NAVAL BASE BY AN EXCELLENT ROAD (APPROXIMATELY 18 KILOMETERS).

- THERE WOULD BE ADVERSE PRESSURE FROM THE LOCAL MERCHANTS.

- THE FACILITY WOULD NOT BE "HIDDEN" FROM SPANISH VIEW.

- THERE WOULD BE NO SECURITY TO PREVENT FRAUDS OR ABUSES.

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THE US RECLAMA ON 13 JAN 72 BY THE SECRETARIAT STATED:

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INFO OCT-01 ISO-00 L-03 INR-10 PM-07 NSC-10 SPC-03 SAM-01

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R 131540Z FEB 74

FM AMEMBASSY MADRID

TO USCINCEUR VAIHINGEN

INFO USNMR SHAPE BRUSSELS

SECSTATE WASHDC 8133

C O N F I D E N T I A L SECTION 6 OF 6 MADRID 1029

PERSONAL FOR GENERAL EADE AND PERSONAL FOR INFO FOR
GENERAL GOODPASTER FROM AMBASSADOR RIVERO

- COMMERCIAL TRANSPORTATION IS NOT AVAILABLE TO PERSONNEL LIVING IN RGH. MOST FAMILIES HAVE ONLY ONE PRIVATE VEHICLE AND DEPENDENTS ARE VIRTUALLY ISOLATED.
- SALES IN THE LOCAL ECONOMY WOULD NOT SUFFER AS TRANSPORTATION IS NOT AVAILABLE TO THE NEAREST TOWN 5 KILOMETERS AWAY.
- THE PROPOSED FACILITY SITE IS IN A REMOTE ALL-AMERICAN RESIDENTIAL AREA, NOT IN PUBLIC VIEW.
- THE FACILITY WOULD BE EXTREMELY SMALL AND ONLY STOCK NECESSITY TYPE ITEMS NOT READILY AVAILABLE ON THE SPANISH ECONOMY.
- SPANISH GUARDS WOULD BE HIRED TO CURTAIL BLACK MARKET ACTIVITIES AND LIMIT ENTRANCE TO BONAFIDE PATRONS.
- A PRECEDENT HAS BEEN ESTABLISHED AS A SIMILAR FACILITY OPERATES IN THE ROYAL OAKS HOUSING FACILITY NEAR MADRID.

IN REPLY, ON 26 JAN 72, THE SPANISH STATED:

- THE EXCHANGE OUTLET WOULD BE MORE OF A CONVENIENCE THAN A NECESSITY.
- PROVIDING THIS CONVENIENCE WOULD BE PREJUDICIAL TO LAWFUL SPANISH INTEREST.
- THE ROYAL OAKS OUTLET WAS AUTHORIZED PRIOR TO THE SIGNING OF THE 1970 AGREEMENT AND DID NOT JUSTIFY GRANTING NEW AUTHORIZATIONS.

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RECOMMENDATION

THE SPANISH NOW BE REQUESTED VIA THE JOINT COMMITTEE TO AUTHORIZE THIS SMALL RETAIL OUTLET.

8. (U) POSITION PAPER ON SECOND RADIO FREQUENCY FOR ROTA, TORREJON AND ZARAGOZA.

SUMMARY

PROBLEM - GOS HAS NOT APPROVED A SECOND FM RADIO FREQUENCY FOR AFRS AT ROTA, TORREJON AND ZARAGOZA.

STATUS - AT 31 OCT 73 JOINT COMMITTEE MEETING GOS INDICATED THEY WOULD REVIEW ADDITIONAL TECHNICAL INFORMATION PROVIDED BY US REGARDING SECOND FM FREQUENCIES.

- ON 21 NOV 73 SPANISH REPRESENTATIVE STATED THAT ANOTHER EFFORT TO OBTAIN THE DESIRED FM FREQUENCIES WOULD BE PURSUED THROUGH A HIGHER LEVEL GOS REVIEW.

- ON 8 JAN 74 SPANISH REPRESENTATIVE STATED THAT AS YET HE HAD NO ANSWER BUT WOULD FOLLOW UP ON THE REQUEST.

FACTS

AGREEMENT OF 1970, PROCEDURAL ANNEX X, PARA 3 AND 3.14 PROVIDES THAT:

"THE UNITED STATES FORCES ARE AUTHORIZED TO MAINTAIN AND UTILIZE THE FOLLOWING EXISTING FACILITIES:

"SUCH OTHER RADIO BROADCASTING TRANSMITTING STATIONS CONTRIBUTING TO THE NORMAL WELFARE AND TRAINING OF THE UNITED STATES FORCES, WHICH INCLUDES SHORT RANGE RADIO BROADCASTING STATIONS, IN ACCORDANCE WITH THE RULES ISSUED ON THE MATTER BY THE SPANISH AUTHORITIES."

RECOMMENDATION

CONTINUE TO PRESS GOS FOR APPROVAL OF SECOND FM FREQUENCIES.
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9. (U) POSITION PAPER ON COMMUNICATIONS STATION AT ESTACA DE VARES.

SUMMARY

PROBLEM - GOS APPROVAL HAS NOT BEEN RECEIVED FOR USAF COMMUNICATIONS STATION AT ESTACA DE VARES.

STATUS - AT THE PS LEVEL AUTHORIZATION FOR USE OF ABANDONED METEOROLOGICAL BUILDING AND EASEMENTS IN CONNECTION WITH ROAD REPAIR AND POWER LINES WERE REQUESTED.

FACTS

- PS(US) MEMO NO. 710 OF 26 SEP 73 PRESENTED A DRAFT OF REGULATIONS FOR THE STATION AND REQUESTED AUTHORIZATION

FOR CERTAIN SPECIFIC ACTIONS.

- PS(SP) RESPONSE OF 8 JAN 74 ONLY ADDRESSED THE ABANDONED
BUILDING AND DID NOT COMMENT ON EASEMENT APPROVAL AND
DRAFT REGULATIONS.

RECOMMENDATION

REQUEST GOS APPROVAL OF THE PROPOSED REGULATIONS AND AUTHORI-
ZATION FOR EASEMENT. (END TEXT OF POSITION PAPERS).
RIVERO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, MILITARY EQUIPMENT, MILITARY AIRCRAFT, SALES, COMMITTEES, PORT CHARGES, CONTRACTS, NAVAL SHIPS
Control Number: n/a
Copy: SINGLE
Draft Date: 13 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MADRID01029
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740236/aaaabhknk.tel
Line Count: 827
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 16
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: MADRID 867
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 21 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 MAR 2002 by shawdg>; APPROVED <01 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DRAFT POSITION PAPERS FOR MARCH 5 JOINT COMMITTEE MEETING
TAGS: PFOR, MARR, SP, US, XMB
To: n/a
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005